

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **RETENTATE CHROMATOGRAPHY AND PROTEIN CHIP ARRAYS WITH APPLICATIONS IN BIOLOGY AND MEDICINE** the specification of which \_\_\_\_ is attached hereto or \_\_\_\_ was filed on June 19, 1998 as Application No. 09/100,633 and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes __ No __
			Yes __ No __

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/054,333	June 20, 1997
60/067,484	December 1, 1997

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

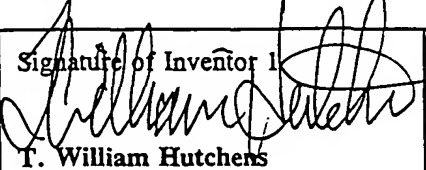
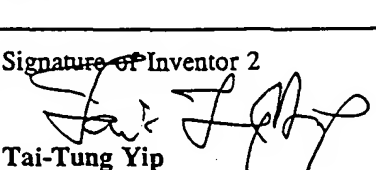
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John R. Storella, Reg. No. 32,944  
Kenneth A. Weber, Reg. No. 31,677  
Kevin L. Bastian, Reg. No. 34,774

Send Correspondence to: <b>John R. Storella</b> <b>TOWNSEND and TOWNSEND and CREW LLP</b> <b>Two Embarcadero Center, 8th Floor</b> <b>San Francisco, CA 94111-3834</b>	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  Name: <b>John R. Storella</b> Reg. No.: <b>32,944</b> Telephone: <b>(415) 576-0200</b>
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Full Name of Inventor 1	Last Name <b>Hutchens</b>	First Name <b>T.</b>	Middle Name or Initial <b>William</b>	
Residence & Citizenship	City <b>Los Altos</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>United States of America</b>	
Post Office Address	Post Office Address <b>28 Carriage Court</b>	City <b>Los Altos</b>	State/Country <b>CA</b>	Zip Code <b>95618</b>
Full Name of Inventor 2	Last Name <b>Yip</b>	First Name <b>Tai-Tung</b>	Middle Name or Initial	
Residence & Citizenship	City <b>Cupertino</b>	State/Foreign Country <b>CA</b>	Country of Citizenship <b>Hong Kong</b>	
Post Office Address	Post Office Address <b>7515 Kingsbury Court</b>	City <b>Cupertino</b>	State/Country <b>CA</b>	Zip Code <b>95014</b>
Full Name of Inventor 3	Last Name	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  <b>T. William Hutchens</b>	Signature of Inventor 2  <b>Tai-Tung Yip</b>	Signature of Inventor 3  
Date <b>9/24/98</b>	Date <b>9/23/98</b>	Date



014866-0022006  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
✓ J R Storella

APRIL 28, 1999

PTAS

TOWNSEND AND TOWNSEND AND CREW LLP  
JOHN R. STORELLA  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CALIFORNIA 94111-3834



\*100974683A\*

CORRECTED  
NOTICE

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/05/1998

REEL/FRAME: 9505/0765  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HUTCHENS, T. WILLIAM

DOC DATE: 09/24/1998

ASSIGNOR:

YIP, TAI-TUNG

DOC DATE: 09/23/1998

ASSIGNEE:

CIPHERGEN BIOSYSTEMS, INC.  
470 SAN ANTONIO ROAD, SUITE B  
PALO ALTO, CALIFORNIA 94306

SERIAL NUMBER: 09100633  
PATENT NUMBER:

FILING DATE: 06/19/1998  
ISSUE DATE:

JACQUELINE MOORE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RECEIVED  
JUN 24 2-11PM '99  
MISC 6  
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MRB 10-5-98

04-26-1999

Attorney Docket No. 016866-002200US

FOPM PTO-1595  
(Rev. 6-93)U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Asst. Commissioner for

100974683

Documents or copy thereof.

## 1. Name of conveying party(ies):

T. William Hutchens  
Tai-Tung Yip

OPR/FINANCE

## 2. Name and address of receiving party(ies):

Name: CIPHERGEN Biosystems, Inc.

Internal Address:

Street Address: 470 San Antonio Road, Suite B

City: Palo Alto State: California ZIP: 94306

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other:

Execution Date: 9/24/98 and 9/23/98

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 09/100,633

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John R. Storella  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(415) 576-02006. Total number of applications and patents involved: ☐ 1

## 7. Total fee (37 CFR 3.41):..... \$ 40.00

☐ Enclosed ☒ Charge Fees to Deposit Account☒ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account

## 8. Deposit account number: 20-1430

10/15/1998 JSHABAZZ 00000136 201430 09100633

01 FC:581 40.00 CH

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*John R. Storella  
Name of Person Signing

Signature

September 28, 1998  
Date

Atty. Reg. No. 32,944

Total number of pages including cover sheet, attachments, and document: ☐ 210. Change Correspondence Address to that of Part 5? ☐ Yes ☒ No

OMB No. 0651-0011 (xp. 4/94)

Mail documents to be recorded with required cover sheet information to:

Do not detach this portion

Asst. Commissioner for Patents  
Box Assignments  
Washington, D.C. 20231

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, T. William Hutchens of 28 Carriage Court, Los Altos, California 95618, and Tai-Tung Yip of 7515 Kingsbury Court, Cupertino, California 95014, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **RETENTATE CHROMATOGRAPHY AND PROTEIN CHIP ARRAYS WITH APPLICATIONS IN BIOLOGY AND MEDICINE**

Filing date: June 19, 1998 Application No.: 09/100,633; and

WHEREAS, Ciphergen Biosystems, Inc. a California corporation, located at 470 San Antonio Road, Suite B, Palo Alto, California 94306, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

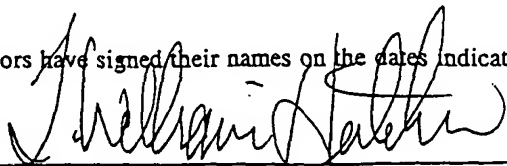
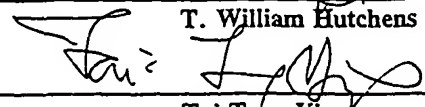
For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: 9/24/98

Date: 9/23/98

  
\_\_\_\_\_  
T. William Hutchens  
  
\_\_\_\_\_  
Tai-Tung Yip

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents Washington, D.C. 20231  
on February 19 1999

By:

*Debra A DeBello*

Debra Ann DeBello

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PATENT  
Attorney Docket No.: 016866-002200US  
1999 FEB 22 PM 3:48

OPR/FINANCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HUTCHENS et al.

Application No.: 09/100,633

Filed: June 19, 1998

For: RETENTATE CHROMATOGRAPHY  
AND PROTEIN CHIP ARRAYS  
WITH APPLICATIONS IN BIOLOGY  
AND MEDICINE

Examiner: Unassigned

Art Unit: Unassigned

REQUEST FOR CORRECTED NOTICE OF  
RECORDATION OF ASSIGNMENT  
DOCUMENT

U.S. Patent and Trademark Office  
Assignment Division  
Box Assignments, CG-4  
1213 Jefferson Davis Highway, Suite 320  
Washington, D.C. 20231

Sir:

Applicants hereby request a corrected Notice of Recordation of Assignment Document to replace that dated February 4, 1999, a copy of which is enclosed for reference, on which the name of inventor T. William Hutchens is misspelled. Inventor Hutchens' name is correctly spelled on the Recordation Form Cover Sheet, Form PTO-1595, and on the Assignment attached thereto, copies of which are also attached for reference.

Respectfully submitted,

*John Storella*

John Storella  
Reg. No. 32,944

TOWNSEND and TOWNSEND and CREW LLP  
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San Francisco, California 94111-3834  
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SF 197730 v1